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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL ROBOT
ANTITRUST LITIGATION

Lead Case No: 3:21-CV-03825-AMO-LB

THIS DOCUMENT RELATES TO:
ALL ACTIONS

PLAINTIFFS' MOTION TO REMOVE INCORRECTLY FILED DOCUMENT

Hearing Date: October 10, 2024

Time: 2:00 PM

Courtroom: 10 - 19th Floor

Judge: Hon. Araceli Martínez-Olguín

1 Pursuant to Civil Local Rule 7-11 and the Court's Superseding Omnibus Sealing Order
 2 (Dkt. No. 246), Plaintiffs Larkin Community Hospital, Franciscan Alliance, Inc. and King County
 3 Public Hospital District No. 1, d/b/a Valley Medical Center (collectively, "Plaintiffs") hereby bring
 4 this motion to remove an incorrectly filed document. Specifically, Plaintiffs seek the removal of
 5 Exhibit 11 to the Declaration of Manuel J. Dominguez in Support of Plaintiffs' Class Certification
 6 Motion. *See* Dkt. 267-12. This document has been filed with the Court twice before in this case,
 7 both times under seal: first as Exhibit 12 to the Declaration of Jeffrey J. Corrigan in Support of
 8 Plaintiffs' Motion for Partial Summary Judgment, *see* Dkt. 128-8, and second as Exhibit 9 to the
 9 Declaration of Daniel McCuaig in Support of Plaintiffs' Opposition to Intuitive's Motion to
 10 Exclude Kimberly Trautman's Testimony, *see* Dkt. 165-16. While no party has sought for the
 11 portion of the document cited by Plaintiffs in their Motion for Class Certification to remain under
 12 seal, in reviewing their filings Plaintiffs discovered that they had filed Exhibit 11 without a minor
 13 redaction to another portion of the document that the Court had approved in its omnibus sealing
 14 order. *See* Dkt. 246 at 8, 18 (approving redaction in Dkt. 143-17). Plaintiffs immediately asked
 15 that access to the originally filed Exhibit 11 be restricted, and the ECF Helpdesk temporarily
 16 locked the document. Plaintiffs also filed a corrected version of Exhibit 11, with the appropriate
 17 redaction. *See* Dkt. 270. Plaintiffs now respectfully request that the originally filed version of
 18 Exhibit 11 in support of their Motion for Class Certification (Dkt. 267-12) be permanently
 19 removed from the public docket.

20 Pursuant to Civil Local Rule 7-12, Plaintiffs sought a stipulation with Intuitive regarding
 21 the removal of Exhibit 11, and Intuitive has stipulated to its removal, as reflected in the Stipulation
 22 and Proposed Order being filed herewith.

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1 Dated: June 12, 2024

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Respectfully submitted,

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